

October 5, 2016

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, D.C. 20554

Re: *Developing a Unified Inter-carrier Compensation Regime*, CC Docket No. 01-92; *Establishing Just and Reasonable Rates for Local Exchange Carriers*, WC Docket No. 07-135; *Connect America Fund*, WC Docket No. 10-90 – Notice of Ex Parte Presentations

Dear Ms. Dortch:

On Monday, October 3, 2016, Peter Nixon and Michael Skrivan of FairPoint Communications, Inc. and I met with the following Commission staff members in several meetings: Ruth Milkman, Claude Aiken, Amy Bender, Nick Degani, Travis Litman, Matthew DelNero, Carol Matthey, Alex Minard, Pamela Arluk, Rhonda Lien and Heidi Lankau.

These meetings concerned the pending petition in the above-captioned dockets to restore FairPoint's Inter-Carrier Compensation ("ICC") Transitional Support for its rate-of-return local exchange carriers ("ROR LECs") that accepted model-based Connect America Fund ("CAF") Phase II support. Under the auspices of the "duplicate support" rule, the National Exchange Carrier Association ("NECA") has improperly withheld approximately \$4.2 million annually, since January 1, 2015, from FairPoint's prescribed CAF-ICC recovery.

FairPoint explained that the Commission's rules clearly prescribe the method for calculating ROR LECs' Eligible Recovery and ICC Transitional Support, and NECA should be required to follow the rule. To the extent that there is any duplication of support in CAF Phase II amounts received by FairPoint as of January 1, 2015, such amounts are *de minimis*, on the order of two percent of the total being deducted by NECA, as demonstrated in FairPoint's April 2016 filing in this proceeding.

The attached materials, which were distributed in these meetings, summarize FairPoint's presentation.

Marlene H. Dortch, Secretary
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Please direct any questions concerning this matter to me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Karen Brinkmann".

Karen Brinkmann
Counsel to FairPoint Communications, Inc.

Enclosure